

**386A.2-010 Certificate of trust.**

- (1) A statutory trust is formed when a certificate of trust that complies with subsection (2) of this section and filed by the Secretary of State is effective as determined under KRS 14A.2-070.
- (2) A certificate of trust must state:
  - (a) The name of the statutory trust, which must comply with KRS 14A.3-010;
  - (b) The name and business address of each person who, upon formation of the trust, will be a trustee;
  - (c) The mailing address of the principal office of the trust;
  - (d) The name and street address of the trust's initial registered office and registered agent that comply with KRS 14A.4-010; and
  - (e) The name and business address of the person executing the certificate of trust as the organizer thereof.
- (3) If the trust may have one (1) or more series, the certificate of trust must contain a statement to that effect as provided in KRS 386A.4-020(2)(c).
- (4) A certificate of trust may contain any term required or permitted to be set forth in the trust instrument.
- (5) A filed certificate of trust, statement of cancellation, statement of change or articles of conversion or merger prevail over inconsistent terms of a trust instrument.
- (6) That the certificate of trust is on file with the Secretary of State is notice:
  - (a) That the statutory trust formed by the certificate of trust is a statutory trust formed under the laws of the Commonwealth of Kentucky;
  - (b) Of all other facts set forth in the certificate which are required to be set forth by subsection (2) of this section; and
  - (c) Of any statement made pursuant to subsection (3) of this section.

**Effective:** July 12, 2012

**History:** Created 2012 Ky. Acts ch. 81, sec. 7, effective July 12, 2012.